

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRIC TOF DELAWARE**

RIMMAX WHEELS, LLC, a) Delaware limited liability) company)) Plaintiff,)) vs.) C.A. No. 06-029 (SLR)) RC COMPONENTS, INC.,) a Kentucky corporation,)) Defendant.)
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PLAINTIFF'S MOTION IN LIMINE

Comes now the Plaintiff, by its counsel Kester I.H. Crosse, Esq. and respectfully moves this Honorable Court for an order prohibiting Defendant from entering any evidence pertaining to the alleged existence of a spinner wheel allegedly made by some other company. The bases for this motion are:

- 1) This is not a patent or patent infringement case. Any evidence of some other company allegedly having made a spinner is not relevant to a determination of the issues in this case, and therefore is prohibited by F.R.E. 402 and/or 403.
- 2) This essentially is a contract case, wherein Plaintiff alleges Defendant failed to honor the terms and conditions of the contracts between them: a) the written confidentiality agreement that prohibits use of Plaintiff's information by Defendant for any purpose other than Plaintiff's benefit; and b) the written order

forms or pricing sheets, showing how much money Defendant required Plaintiff to pay to manufacture for Plaintiff sets of spinners.

Respectfully submitted this 14th day of February.



Kester I.H. Crosse, Esq. #638

Williams and Crosse
1214 King Street
Wilmington, DE 19801
(302) 658-3488

CERTIFICATE OF SERVICE

I hereby certify that on February 14, 2007, I electronically filed with the Clerk of Court using CM/ECF which will send notification of such filing(s) to the following:

Attorney Curtis Miller E-mail: CMiller@MNAT.com



Kester I.H. Crosse, Esq. #638